IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 1382 (MS) OF 2005

DEEPAK Kumar, S/o Sri Om Pal Singh,
R/o Village Brahampuri, P.S. Ranipur,
District Haridwar. .....Petitioner.

Versus

1. State of Uttaranchal, through Director Prashishan Avam Seva Yojna Nideshalaya, Uttaranchal, Haldwani (Nainital).
2. Principal, I.T.I. (Boys), Niranjanpur (Majra), Dehradun, Uttaranchal.
3. Instructor, I.T.I. (Boys), Niranjanpur (Majra), Dehradun, Uttaranchal. .....Respondents.

Mrs. Jyotsna, Advocate for the petitioner.
Learned Standing Counsel for the respondents.

Dated 27.04.2006

Hon'ble Rajesh Tandon, J.

Heard Ms. Jyotsna, Advocate for the petitioner and Standing Counsel for the respondents. Both the parties have agreed that let the matter be finally disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondents to re-admit the

petitioner in the Institute of I.T.I (Boys) Dehradun and also permit the petitioner to appear in the Final Examination of Trade Electricians.

Briefly stated, the name of the petitioner has been struck off on account of short attendance from the Institute by Vice President, I.T.I. Dehradun by his letter No. T.R.G./1528/2004/358 dated 04.02.2005.

A counter affidavit has been filed where nothing has been stated as to what will happen in the case of ill health.

Petitioner is permitted to make a representation within a period of ten days from the date of presentation of the certified copy of the order, which shall be suitably decided by the respondent giving the relaxation from the attendance.

However, the petitioner, thereafter, shall be permitted to appear in the 2nd year of I.T.I. after giving him the relaxation from the attendance. It is expected that the authorities will not play with the career of the petitioner. However, the direction may be given for improvement of attendance and for better performance. The college should adopt a reformative attitude rather than the frustration in the career.

Subject to the aforesaid observations, writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

27.04.2006
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